

**Legislative Bulletin.....March 10, 2010**

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**H.R. 4786 - To provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.**  
*(Rep. Connolly, D-VA)*

**Order of Business:** H.R. 4786 is scheduled to be considered on Wednesday, March 10, 2010 under a motion to suspend the rules and pass the bill.

**Summary:** The legislation would give Department of Transportation employees compensation for the two days that the employees were furloughed as a result of Highway Trust Fund authority lapsing on March 1<sup>st</sup> and March 2<sup>nd</sup>. On these two days federal employees (impacted by the legislation) did not report to work, and were legally prohibited from reporting to work by the Anti-Deficiency Act. Funding for this purpose would be derived from the FY 2010 omnibus and funds previously authorized out of the Highway Trust Fund.

H.R. 4691, which carried an extension of Highway Trust Fund authority through March 28, 2010, was signed into law on March 2, 2010. The program's authority lapsed on March 1<sup>st</sup> and March 2<sup>nd</sup>.

**Committee Action:** H.R. 4786 was introduced on March 9, 2010, and referred to the House Committee on Transportation and Infrastructure, as well as the Committee on Oversight and Government Reform. Neither committee took any action.

**Cost to Taxpayers:** No CBO score is available. The legislation would give the Department of Transportation the authority to use money that it has already been appropriated (from the FY 2010 omnibus) to pay federal employees for these two days. On the other hand, the legislation would cause the federal government to spend money for something that it would not otherwise spend.

**Potential Conservative Concern:** While the legislation does not authorize or appropriate new money, it would cause the federal government to spend money it would not otherwise spend for this compensation. Some conservatives may believe that, given the dire condition of the Highway Trust Fund (the House recently passed legislation to transfer \$47 billion from the general fund to the Highway Trust Fund), money should not be spent for this purpose without some form of offset. On the other hand, some conservatives may believe that the employees were furloughed through no fault of their own, and should receive this compensation.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No committee report is available, but the legislation does not appear to contain any earmarks.

**Constitutional Authority:** No committee report citing constitutional authority is available.

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### **H.Con.Res. 249 - Commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965 (*Lewis, D-GA*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 249 that the House of Representatives:

- “Commemorates the 45th anniversary of Bloody Sunday;
- “Observes and celebrates the 45th anniversary of the enactment of the Voting Rights Act of 1965;
- “Pledges to advance the legacy of the Voting Rights Act of 1965 to ensure its continued effectiveness in protecting the voting rights of all people in the United States; and
- “Encourages all people in the United States to reflect upon the sacrifices of the Bloody Sunday marchers and acknowledge that their sacrifice made possible the passage of the Voting Rights Act of 1965.”

The resolution contains a number of findings, including:

- “Brave people in the United States, known and unknown, of different races, ethnicities, and religions, risked their lives to stand for political equality and against racial discrimination in a quest culminating in the passage of the Voting Rights Act of 1965;
- “The historic struggle for equal voting rights led nonviolent civil rights marchers to gather on the Edmund Pettus Bridge in Selma, Alabama, on March 7, 1965, a day that would come to be known as ‘Bloody Sunday’, where their bravery was tested by a brutal response, which in turn sent a clarion call to the Nation that the fulfillment of democratic ideals could no longer be denied;
- “Congressman John Lewis and the late Hosea Williams led these marchers across the Edmund Pettus Bridge in Selma, Alabama, where they were attacked with billy clubs and tear gas by State and local lawmen; and
- “During the march on Bloody Sunday, Congressman Lewis was beaten unconscious, leaving him with a concussion and countless other injuries.”

**Committee Action:** H.Con.Res. 249 was introduced on March 4, 2010, and referred to the House Judiciary Committee, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

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**H.Res. 1081 - Supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month (*Lewis, D-GA*)**

**Order of Business:** The legislation is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the legislation.

**Summary:** H.Res. 1081 expresses the sense of the House of Representatives that:

- “Supports the goals and ideals of National Teen Dating Violence Awareness and Prevention Week to raise awareness of teen dating violence in the United States;
- “Supports and encourages communities to empower teens to develop healthy relationships; and
- “Encourages the people of the United States, State and local officials, middle schools and high schools, law enforcement agencies, and other interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence.”

The resolution contains a number of findings, including:

- “Dating, domestic, and sexual violence affect women regardless of age, and teens and young women are especially vulnerable;
- “Teen girls who are physically and sexually abused are up to 6 times more likely to become pregnant, and more than 2 times as likely to report a sexually transmitted disease, than teen girls who are not abused;
- “Primary prevention programs are a key part of addressing teen dating violence, and many successful community examples include education, community outreach, and social marketing campaigns that account for the cultural appropriateness of programs;
- “The establishment of National Teen Dating Violence Awareness and Prevention Month in February will benefit schools, communities, families, and youth throughout the Nation.”

**Committee Action:** H.Res. 1081 was introduced on February 22, 2010, and referred to the House Judiciary Committee, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

**Constitutional Authority:** House Report 111-396 cites Article I, section 8 of the Constitution of the United States for Constitutional Authority.

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**H.Res. 1087 - Honoring the life of John H. “Jack” Ruffin, Jr.  
(Barrow, D-GA)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 1055 resolves that Congress:

- “Recognizes Jack Ruffin as a great jurist in the State of Georgia and as an important figure in the civil rights movement; and
- “Recognizes the selfless and brave contributions that Jack Ruffin made to his community and to the law.”

The resolution contains a number of findings, including:

- “Jack Ruffin left a lasting impact on his State and the United States during his distinguished legal career as a civil rights attorney and as the first African-American chief judge of the Georgia Court of Appeals;
- “Jack Ruffin fought with great courage against injustices in his community throughout his life, most notably when he filed the lawsuits that desegregated the public school systems of Richmond County and of Burke County;
- “Jack Ruffin retired from the Georgia Court of Appeals in 2008 and spent the rest of his life giving back to his community by teaching students at his alma mater, Morehouse College; and
- “It is the intent of the House of Representatives to recognize and pay tribute to the life of Jack Ruffin, his achievements for civil rights, his zeal for justice, and his passion for the law.”

**Committee Action:** H.Res. 1087 was introduced on February 22, 2010, and referred to the House Judiciary Committee, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

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### **H.Res. 1115 - Expressing appreciation for the profound dedication and public service of Enrique “Kiki” Camarena on the 25th anniversary of his death (Hunter, R-CA)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1115 resolves that the House of Representatives:

- “Expresses appreciation for the profound dedication and public service of Enrique ‘Kiki’ Camarena on the 25th anniversary of his death;
- “Offers its deepest sympathy and appreciation to his wife, Geneva, his three children, Enrique, Daniel, and Erik, and to the entire family, friends, and former colleagues of the Drug Enforcement Administration;
- “Encourages communities and organizations throughout the United States to commemorate the sacrifice of Special Agent Camarena through the promotion of drug-free communities and participation in drug prevention activities to support healthy, productive, and drug-free lifestyles; and
- “Directs the Clerk of the House to transmit a copy of this resolution to the family of Enrique ‘Kiki’ Camarena.”

The resolution contains a number of findings, including:

- “In March 1985, Drug Enforcement Administration (DEA) Special Agent Enrique ‘Kiki’ Camarena made the ultimate sacrifice in the fight against illicit drugs;
- “Special Agent Camarena, an 11-year veteran special agent of the DEA, was kidnapped, tortured, and murdered in the line of duty;
- “On February 7, 1985, when leaving the Guadalajara Resident Office to join his wife Geneva for lunch, Special Agent Camarena was surrounded by 5 armed men, forced into a vehicle and taken away;
- “The body of Special Agent Camarena was discovered on March 5, 1985, on a ranch approximately 60 miles southeast of Guadalajara, Mexico; and

- “During his 11-year career with the DEA, Special Agent Camarena received 2 Sustained Superior Performance Awards, a Special Achievement Award and, posthumously, the Administrator's Award of Honor, the highest award granted by DEA.”

**Committee Action:** H.Res. 1115 was introduced on February 25, 2010, and referred to the House Judiciary Committee, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no expenditures. It does direct the Clerk of the House to transmit a copy of this resolution to the family of Enrique “Kiki” Camarena.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

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**H.Res. 1061 - Honoring the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010 (*Titus, D-NV*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1061 resolves that the House of Representatives:

- “Commends the brave actions and quick thinking exhibited by Court Security Officer Stanley Cooper during the assault at the entrance of the Lloyd D. George Federal Courthouse;
- “Offers its deepest condolences to the family and friends of Court Security Officer Stanley Cooper, who valiantly gave his life in the line of duty;

- “Commends Deputy United States Marshal Richard J. ‘Joe’ Gardner for his actions and bravery in responding to the assault;
- “Wishes Deputy United States Marshal Richard J. ‘Joe’ Gardner a speedy recovery from the wounds he sustained in the line of duty; and
- “Applauds the Court Security Officers and members of the United States Marshals Service and Las Vegas Metropolitan Police Department for their brave and courageous actions in responding to the assault at the Lloyd D. George Federal Courthouse.

The resolution lists a number of findings, including:

- “On January 4, 2010, during an assault at the entrance of the Lloyd D. George Federal Courthouse in Las Vegas, Nevada, Court Security Officer Stanley Cooper was fatally wounded and died heroically in the line of duty while protecting the employees, occupants, and visitors of the courthouse;
- “Deputy United States Marshal Richard J. ‘Joe’ Gardner was wounded in the line of duty while protecting the employees, occupants, and visitors of the courthouse;
- “The Court Security Officers and members of the United States Marshals Service and the Las Vegas Metropolitan Police Department acted swiftly and bravely to subdue the gunman and minimize risk and injury to the public; and
- “The heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. ‘Joe’ Gardner, and the law enforcement officers who responded to the attack prevented additional harm to innocent bystanders.”

**Committee Action:** H.Res. 1061 was introduced on February 2, 2010, and referred to the House Judiciary Committee, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

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**H.R. 4506 - Bankruptcy Judgeship Act of 2010 (Cohen, D-TN)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, March 10, 2010 under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4506 amends the federal judicial code to authorize 35 permanent offices of bankruptcy judges in certain states. The bill also converts some temporary offices of bankruptcy judges to permanent offices in certain states, and extends temporary offices of bankruptcy judges in the eastern district of Pennsylvania and the middle district of North Carolina. Finally, the bill contains a section that increases bankruptcy filing fees and reduce the amount of bankruptcy fees to be deposited as offsetting collections to the United States Trustee System Fund.

**Background:** According to the House Judiciary committee report on H.R. 4506, there is a need for new permanent bankruptcy judges due to the growing volume and complexity of bankruptcy cases. Additionally, the Judicial Conference recommended that there be an increase in the number of judges. According to the committee report, “The Judicial Conference’s bankruptcy judgeship recommendations are the result of a thorough process for assessing bankruptcy judgeship needs. The process begins with a survey of all the Federal judicial circuits and then, applying several factors to determine the workload in a given district, the Judicial Conference formulates its recommendations for Congress.”

**Committee Action:** The bill was introduced on January 26, 2010. It was referred to the Committee on the Judiciary and was reported out of Committee by voice vote.

**Administration Position:** No Statement of Administration Policy is provided.

**Cost to Taxpayers:** “CBO estimates that the mandatory pay and benefits for judgeships not otherwise provided for under current law **would increase direct spending by \$12 million through 2015 and \$24 million over the 2010-2020 period.** We estimate that changes made to the collection and disposition of filing fees under the bill would increase revenues by about \$13 million through 2015 and by about \$27 million over the 2010-2020 period. In total, the changes to direct spending and revenue made by H.R. 4506 would reduce future budget deficits by about \$1 million over the 2010-2015 period and about \$3 million over the 2010-2020 period.

CBO estimates that discretionary expenditures for support staff and office space associated with the additional judgeships would cost \$45 million over the 2010-2015 period, subject to appropriation of the necessary funds.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. The bill adds new permanent bankruptcy judgeships.

**Constitutional Authority:** Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 4506 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

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**H.R. \_\_\_\_—To accelerate the income tax benefits for charitable cash contributions for the relief of the victims in Chile (*Rep. Levin, D-MI*)**

**Order of Business:** The legislation is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the bill

**Summary:** The legislation allows cash contributions for relief efforts in Haiti—made between February 26, 2010 and April 15, 2010—to be considered as charitable contributions made on December 31, 2009 and not in 2010. In other words, the legislation would cause such contributions to be considered as if they had been made in 2009 instead of 2010 for tax purposes.

[H.R. 4462](#) provided a similar provision for cash contributions for relief efforts in Haiti. This legislation would allow contributions to be made until April 15, 2010 (as opposed to March 1, 2010 in current law) and still qualify as if the contribution had been made in 2009 for tax purposes.

**Committee Action:** The legislation has not been introduced at press time, though text is available [here](#).

**Cost to Taxpayers:** No CBO score is available.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No committee report is available but the legislation does not appear to contain any earmarks.

**Constitutional Authority:** No committee report citing constitutional authority is available.

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**H.R. 4573—Debt Relief for Earthquake Recovery in Haiti Act of 2010**  
*(Rep. Waters, D-CA)*

**Order of Business:** H.R. 4573 is scheduled to be considered on Wednesday, March 10, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** The legislation would generally instruct U.S. representatives of multilateral institutions to seek debt relief for Haiti.

Specifically, H.R. 4573 would require U.S. representatives at multinational institutions (the International Monetary Fund, the World Bank, the Inter-American Development Bank, etc.) to use the voice, vote, and influence of the United States to:

- Cancel debts owed by Haiti to these institutions;
- Suspend Haiti's debt service payments (until the debts are canceled completely); and
- Provide additional assistance, in the form of grants, to Haiti.

The legislation also requires the Secretary of the Treasury to urge other bilateral, multilateral, and private creditors to cancel immediately and completely all debts owed by Haiti to other creditors.

**Committee Action:** H.R. 4573 was introduced on February 2, 2010, and referred to the House Committee on Financial Services. The International Monetary Policy and Trade Subcommittee held a markup and approved an amended version of the legislation on March 4, 2010.

**Cost to Taxpayers:** No CBO score is available. However, the legislation would not, in and of itself, authorize or appropriate money.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No committee report is available, but the legislation does not appear to contain any earmarks.

**Constitutional Authority:** No committee report citing constitutional authority is available.

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